

REMARKS

Claims 1-7 and 9 were examined. Claims 1, 3, and 9 are rejected. Claim 2 is objected to. Claims 4-7 are allowed.

Applicants amend claim 3 and add additional claims 13-21, and reserve the right to prosecute the former claim in a divisional or continuation application. Applicants submit that no new matter has been added herein. Applicants respectfully request reconsideration of pending claims 1-3 and 9, as amended, and consideration of additional claims 13-21 in view of at least the following remarks.

I. Allowable Subject Matter

Applicants note with appreciation that claims 4-7 are allowed and claim 2 is indicated to contain allowable subject matter.

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II. Claims Rejected Under 35 U.S.C. §102

The Patent Office rejects claim 9 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,792,986 filed by Garner, et al. ("Garner"). It is axiomatic that to be anticipated every element of the claim must be disclosed within a single reference. Applicants respectfully disagree with the rejection above and submit that independent claim 9 is allowable for at least the reason that Garner does not describe "detecting in a first device of the pair from the cable a communication mode of the second device by monitoring an unused contact of a cable connector for a predetermined voltage level," in accordance with Applicants' claim 9. According to claim 9, for example, a first device may be driven to the mode of a second device detected by monitoring an unused contact of a cable connector.

On the other hand, the portion of Garner cited by the Patent Office in the rejection above teaches a portable radio system having a connector to attach to external accessories devices 50, such as, an external speaker, a speaker board/microphone, and an emergency call accessory. (Col. 6 line 14 - col. 7 line 37) For example, Garner teaches that radio 60 may respond to connection of the emergency call accessory by modifying its *modus operandi* in response to detecting resistances R6 at the UDC sense line pin of the DDC jack 30. (Fig. 2; col. 7 lines 37-40) Thus, when radio 60 detects resistance R6 on the UDC sense line of UDC plug 40 of device 50, the radio modifies its *modus operandi* to monitor the condition of the emergency switch of the emergency call accessory (device 50 in this case), and may automatically transmit an predetermined emergency message if resistance R6 is detected and the switch is active. (Col. 7, line 38-59)

However, the Patent Office has not identified, and Applicants are unable to find, any description in Garner of monitoring an unused contact of a cable connector connecting two networking devices. Specifically, the UDC sense line pin of radio 60 is connected to device 50 via the UDC sense line which is a signal line (e.g., and not unused) because its purpose is to provide a voltage signal to radio 60 from device 50 to allow radio 60 to detect R6 at device 50. Thus, the UDC sense line pin of radio 60 is not an unused contact as required by Applicant's claim 9 because it is connected to a signal line between radio 60 and device 50. Similarly, the emergency line sense pin of radio 60 is connected to device 50 via an emergency signal line which is a signal line (e.g., and not unused) because its purpose is to provide a voltage signal to radio 60 from device 50 to allow radio 60 to determine if the emergency switch is open or closed at device 50. Thus, the emergency line sense pin of radio 60 is not an unused contact as required by Applicant's claim 9 because it is connected to a signal line between radio 60 and device 50. Hence, Applicants respectfully request that the Patent Office withdraw the rejection of independent claim 9 under 35 U.S.C. § 102(b) as being anticipated by Garner for at least the reason identified above.

III. Claims Rejected Under 35 U.S.C. §103

The Patent Office rejects claim 1 under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent No. 6,553,117 to Armistead et al. ("Armistead 1") in view of U. S. Patent No. 6,072,794 to Kang et al. ("Kang").

A. Independent Claim 1

To render a claim obvious all elements of that claim must be taught or suggested by at least one properly combined reference. Applicants respectfully disagree with the rejection above and submit that independent claim 1 is allowable for at least the reason that the cited references do not teach, suggest, or describe "an interface module having a network interface and to detect a voltage at an unused contact to identify a networking protocol for which the apparatus should be configured," in accordance with Applicants' independent claim 1. According to claim 1, for example, an interface

module may monitor an unused contact of a network interface cable for a voltage level which corresponds to the identification of a networking protocol.

On the other hand, Kang describes trunk interface unit 132 for connecting a public switched telephone network (PSTN) to either a T1 or an E1 trunk by filling four slots of trunk interface unit 132 with either four T1 line cards or three E1 line cards. (col. 1, lines 30-40, col. 3, lines 20-40) Specifically, Kang discloses that each line card is configured either for T1 protocol or for E1 protocol and that processor 250 identifies a T1 card by detecting an open (a "high" signal) at signal line 316 of the card or an E1 card by detecting a ground (a "low" signal) on signal line 416 of the card. (Col. 4 lines 11-24)

However, the Patent Office has not identified, and Applicants are unable to find, any teaching in Kang that accounts for an interface module to detect a voltage at an unused contact to identify a networking protocol monitoring. Specifically, the processor connection to signal lines 316 and 416 are both connections to signal lines (e.g., and not unused) because the purpose of signal lines 316 and 416 is to provide a voltage signal to processor 250 from a card to allow processor 250 to determine whether there is either an open or a ground at that card. Thus, neither of the connections to signal lines 316 and 416 is an unused contact as required by Applicant's claim 1 because both connections are to a signal line between processor 250 and a T1 or E1 card.

In addition, Armistead 1 teaches a control processor selecting a networking protocol, configuring the system to that protocol, and then attempting to establish a lock on a signal line's incoming signal in accordance with that protocol. (See Armistead 1 abstract; column 2 lines 19-35) However, the Patent Office has not identified and Applicants have been unable to find any suggestion or teaching in Armistead 1 of detecting a voltage at an unused contact to identify a networking protocol. Thus, Armistead 1 does not cure the deficiencies of Kang noted above with respect to Applicants' claim 1. Therefore, since neither Kang, Armistead 1, nor the combination teach the limitations of claim 1 quoted above, Applicants respectfully request that the

Patent Office withdraw the rejection of independent claim 1 under 35 USC § 103(a) as being unpatentable over Armistead 1 in view of Kang.

B. Amended Independent Claim 3

The Patent Office rejects claim 3 under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent No. 6,553,117 to Armistead et al. ("Armistead 1") and U. S. Patent No. 6,250,936 also to Armistead et al. ("Armistead 2").

First, Applicants respectfully disagree with the rejection above and submit that amended independent claim 3 is allowable for at least the reason that the cited references do not teach, suggest, or describe the second networking device "a cable having an RJ-48 connector at a first end and a BNC connector at an opposing end, the cable coupled to the first networking device," as required by amended independent claim 3.

To address the limitation of claim 3 quoted above, the Patent Office cites column 7, lines 35-39 of U. S. Patent No. 6,112,232 to Shahar et al. ("Shahar"). However, the cited portion of Shahar describes that an E1 unbalanced standard may use an interface having 75 Ohms such, as a coaxial connector; and that a T1 or E1 balanced standard may use and interface having 100 and 120 Ohms, such as a RJ 48 connector.

Consequently, the disclosure cited by the Patent Office above does not teach or suggest putting one type of connector on one end of a cable and the other type of connector on the other end. In fact the disclosure cited by the Patent Office above tends to teach that the types of connectors should not be mixed one a single since they are used for different standards, such as to be transmitted via separate cables. Thus, the Patent Office has not identified and Applicants have been unable to find any suggestion or teaching in the cited references that provides for a cable having an RJ-48 connector at a first end and a BNC connector at an opposing end, as required by amended independent claim 3. Hence, Applicants respectfully request that the Patent Office

withdraw the rejection of amended independent claim 3 as being unpatentable over the cited references for at least this first reason.

Second, Applicants respectfully disagree with the rejection above and submit that amended independent claim 3 is allowable for at least the reason that the cited references do not teach, suggest, or describe the second networking device "the second networking device automatically identifying from the cable the first networking protocol and then switching to the first networking protocol," as required by amended independent claim 3. According to Claim 3, for example, the second networking device may identify the first networking protocol and then switch to the first networking protocol.

As described above with respect to amended independent claim 1, Armistead 1 teaches a control processor switching to a networking protocol and then attempts to establish a lock in accordance with that switched to protocol. Consequently, the system of Armistead 1 is already implementing the networking protocol of the signal the system locks onto. Therefore, the second networking device identifying the first networking protocol from the cable and then switching itself into the first networking protocol of Applicants' amended independent claim 3 is not taught by the switching to a networking protocol and then establishing a lock for that switched to protocol of Armistead 1.

In addition, Armistead 2 teaches a single-port connection and circuitry accepting both balanced and unbalanced data signals. (Abstract) However, the Patent Office has not identified and Applicants have been unable to find any suggestion or teaching in Armistead 2 of identifying the first networking protocol from the cable and then switching itself into the first networking protocol. Thus, Armistead 2 does not cure the deficiencies of Armistead 1 noted above with respect to Applicants' amended claim 3. Therefore, since neither Armistead 1, Armistead 2, nor the combination teach the limitations of amended claim 3 quoted above, Applicants respectfully request that the Patent Office withdraw the rejection of amended independent claim 3 under 35 USC §

103(a) as being unpatentable over Armistead 1 in view of Armistead 2 for at least this additional reason.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending are now in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

PETITION FOR EXTENSION OF TIME

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on January 13, 2004, Applicant respectfully petitions the Commissioner for a one (1) month extension of time, extending the period for response to May 13, 2004. The Commissioner is hereby authorized to charge payment to Deposit Account No. 02-2666 in the amount of \$110.00 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(2) large entity. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: May 11, 2004

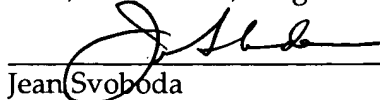


Thomas M. Coester, Reg. No. 39,637

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop Amendments, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on May 11, 2004.


Jean Svoboda